

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,
VILLAGE HALL, ON OCTOBER 8, 2003**

Members Present: Peter Lilienfield, Chairman
Carolyn Burnett
Jay Jenkins
Walter Montgomery, Secretary
William Hoffman

Also Present: Lino Sciarretta, Village Counsel
Edward P. Marron, Jr., Building Inspector
Florence Costello, Planning Board Clerk
M.J. Wilson, Environmental Conservation Board Member
Applicants and other persons mentioned in these Minutes

IPB Matters

Considered: **94-03 – Westwood Development Associates, Inc. -- Phase 1
(Tract A)**
 Sht. 10, P25J2, 25K2
 Sht. 10C, Bl. 226, Lots 25A, 26A
 Sht. 11, P-25J

01-26 – Danfor Realty – Harriman Road
 Sht. 13B, Lot P-5, P-5C

**02-11 – Geraldine McGowan-Hall – 200 Mountain
Road/Hermits Road**
 Sht. 11, Lot P-7J

02-44 - Westwood Development Associates, Inc.
 Lot 4

03-15 – Vincent DeSantis – 64 West Clinton Avenue
 Sht. 7B, B. 249, Lot 7A

03-31 – Eric & Michelle Frank – 23 Washington Avenue
 Sht. 15, Lot P-101

03-35 – David & Nancy Rosner – 11 Meadow Way
 Sht. 10F, B. 253, Lot 12

**03-36 – Racwel Contracting & Construction Co., Inc. –
Dearman Close**
 Sht. 10, Lot P-25J2-15

03-38 – Adi S. Katari – 292 Riverview Road
 Sht. 10C, B. 226, Lot 24

**03-41 – Westwood Development Associates & Village of Irvington
– Westwood Subdivision, Parcel B**
 Sht. 10, P-25K2
 Sht. 11, Part of 25J and all of 25J2

03-42 – Storm & Debbie Field – 105 Riverview Road
 Sht. 10, Lot P-21D2

03-43 – Barbara & Richard McEvoy – 16 Meadowbrook Road
 Sht. 1, B. 246, Lot 11

03-44 – Steven Ivkoscic & Syliva Marusic – 21 South Eckar Street
Sht. 5, B. 212, Lot 15A

03-45 – Nicole Kuckly & David Perez – 176 Mountain Road
Sht. 11, Lot P-27E

03-46 -- Joseph DeNardo – 7 Roland Road
Sht. 15, Lot P-123A

Open Space

Inventory

Consideration:

03-47 – Pauline & Kevin Davis – 8 Leafwood Terrace
Sht. 13B, Lot P-65

03-49 – Village of Irvington – Westwood Subdivision, Tract C
Sht. 11, Lot P-71, P-73 and P-75 (formerly Sht. 11, Lot P-25J
and P-25J2 and Sht. 10C, B. 226, Lot 27A)

Informal

Discussion:

**03-50 – O’Neill Rowan Ltd. – Dearman Park (formerly
Westwood subdivision)**
Sht. 10, B. 1, Lot 13

Carried Over:

02-03 – Abbott House – 100 North Broadway
Sht. 10, P-21

03-22 – Ante & Sylvia Marusic – 60 Hudson Avenue
Sht. 10B, B. 230, Lot 22C

**03-29 – Omnipoint Facilities Network, LLC – Abbott House,
100 North Broadway**

03-32 – Lisa Trencher – 6 Riverview Terrace
Sht. 10D, B. 240, Lot 6, 7, 8

03-37 – Marygian Catarino – Riverview Road
Sht. 10C, B. 229, Lot 3

03-39 – Lori & Charles Levy – 2 Hudson Road
Sht. 8, B. 219, Lot 27 and 27 A

03-40 – Meredith & Andrew Siegel – 10 Greyrock Terrace
Sht. 10D, B. 242, Lot 21 and 22

03-48 – Emily & Marcelo Rubin – 298 Riverview Road
Sht. 10C, B. 229, Lot 4E

The Chairman called the meeting to order at 8:05 p.m.

Administrative:

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees. Further, unless otherwise noted, the Applicants submitted evidence of notice to Affected Property Owners.

ITEMS CARRIED OVER:

The Chairman noted the following items to be carried over to future IPB agendas:

IPB Matter #02-03: Abbott House – 100 North Broadway

The proposed stipulations for the renewal of the Applicant's Special Permit are still in the process of being reviewed.

IPB Matter #03-48: Emily & Marcelo Rubin – 298 Riverview Road

The applicant was denied a building permit by the Building Inspector, to enable consideration by the Zoning Board of Appeals.

IPB Matter #03-22: Ante & Sylvia Marusic – 60 Hudson Avenue

This application is awaiting review at the ZBA.

IPB Matter #03-29: Omnipoint Facilities Network, LLC – Abbott House, 100 North Broadway

The Planning Board is still awaiting materials on this application. Mr. Sciarretta was asked to review the status of an escrow account for the payment of consultants.

IPB Matter #03-32: Lisa Trencher – 6 Riverview Terrace

The applicants requested to be carried over to the November or December meeting as they are addressing remaining issues.

IPB Matter #03-37: Marygian Catarino – Riverview Road

This application is awaiting review at the ZBA.

IPB Matter #03-39: Lori & Charles Levy – 2 Hudson Road

This application is awaiting review at the ZBA.

IPB Matter #03-40: Meredith & Andrew Siegel – 10 Greyrock Terrace

This application is awaiting review at the ZBA.

REVIEW OF APPLICATIONS:

IPB Matter #02-11:

**Application of Geraldine McGowan-Hall for
Site Development Plan Approval for property at
200 Mountain Road**

Wayne Timonen, architect, appeared for the applicants, who are seeking to renovate and expand an existing house and to install a drain in the existing driveway and close one of two driveway entrances. Plans submitted were entitled: Hall Residence sheet A-12, Sheet 13 of 17 signed by Seymour Gage, P.E., revised September 20, 2003, Site Plan prepared for Henry and Geraldine Hall signed by Seymour Gage, P.E., and William Free, PLS, revised June 22, 2003, sheet SP-01, and Site Plan prepared for Henry and Geraldine Hall signed by Harold Campbell, P.E. revised June 22, 2003 with Drainage and Driveway Specifications added September 24, 2003, sheet SP-02.

The Chairman indicated that the Board could not consider this application due to the lack of required noticing. Mr. Timonen briefly summarized the status of the proposal, saying that mainly there are site-engineering issues yet to be addressed. He said he had finished a new site-engineering plan that is clearly focused on the house and setbacks, eliminating symbols and data that may unnecessarily obscure essential features of the plan. He also said he had done an overlay to depict site drainage.

The Chairman cited Mr. Mastromonaco's memorandum of October 8, pointing out the need for data on coverage and the proposed garage. Mr. Timonen said he was making progress in addressing Mr. Mastromonaco's issues. The Chairman added that Mr. Timonen should meet with Mr. Marron and Mr. Mastromonaco to resolve outstanding issues to their satisfaction.

The Chairman stated that if a complete application is submitted in time for the IPB's Regular Meeting in November, the Board can review such package at that time and, pending that review, potentially hold a public hearing at the Regular Meeting in December. He told Mr. Timonen re-notification will be necessary.

The Board continued this matter.

IPB Matter #03-42:

**Application of Storm & Debbie Field for Site
Development Plan Approval for property at
105 Riverview Road**

Susan Riordan, architect, represented the applicants, who are proposing to construct a detached garage that could accommodate four cars, two at house level and two below. This matter had previously been before the Board under a different number: IPB Matter #03-19. Ms. Riordan confirmed the applicants had received a variance for a garage in front of an existing residence, citing the ZBA's letter of August 21 (see ZBA #2003-24, granting a variance to Sec. 224-12 - accessory structure in front of a principal structure). Plans submitted were entitled: Field Residence Garage, 105 Riverview Road, Susan M. Riordan, AIA, Architect, dated 9/9/03, 4 double-sided sheets.

Mr. Marron said that the project meets FAR standards and that the increase in square footage is within the limits that permit the Planning Board to consider a waiver. Ms. Wilson of the ECB asked about the plans for trees and drainage. The Chairman noted Mr. Mastromonaco's memorandum of October 8 that cited drainage concerns; Mr. Marron said Ms. Riordan can review her drainage plans with Mr. Mastromonaco subsequent to Planning Board action. Ms. Riordan said that some evergreen bushes and/or trees might need to be removed and the Chairman stipulated that the applicants should plant hardwood trees to compensate for any such removal.

Ms. Wilson asked that the applicants consider the installation of impervious materials at the front of the proposed driveway. There were no comments from the public.

The Board determined that the application could be handled as a Type II action under SEQRA. After discussion, on motion duly made seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 224-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for the Site Development Plan approval for this application, subject to the replacement of any removed foliage with hardwood trees and the resolution of all outstanding drainage issues with the Building Inspector and Village Engineer.

IPB Matter #03-43:

**Application of Barbara & Richard McEvoy for
Site Development Approval for property at
16 Meadowbrook Road**

Susan Riordan, architect, represented the applicants, who are proposing to build an enclosed family room in place of an existing rear porch. Ms. Riordan said the ZBA had approved variances, in a letter dated August 21, 2003 for a non-conforming lot and setback (see ZBA #2003-23, Sec. 224-89A (non-conforming lot) and 224-11 (setbacks). The ZBA also concluded that variances for FAR and coverage were not required. Plans submitted were entitled: Mr. and Mrs. Richard McEvoy, 16 Meadowbrook Lane, Susan M. Riordan, AIA, Architect, dated 9/9/03, 3 double-sided sheets.

Mr. Marron requested that the applicants provide the FAR data to the Planning Board, complete with a breakdown of the individual components to permit the Planning Board to verify that the FAR requirements were not being exceeded. The Chairman requested the information be provided, but indicated that it should not prohibit the Planning Board from acting on a Waiver for the application.

There were no comments from the public. The Board determined that the application could be handled as a Type II action under SEQRA. After discussion, on motion duly made seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 224-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for the Site Development Plan approval for this application, subject to the Applicant providing the FAR calculations to the Building Inspector.

IPB Matter #03-38:

Application of Adi S. Katari for Site Development Plan Approval for property at 292 Riverview Road

John Dedyo, P.E., represented the applicant, who also appeared before the Board. The application pertains to the legalization of improvements that had already been completed without Planning Board approval. The construction resulted in expanded and reallocated living space, along with an increase in the structure's footprint.

The Chairman said Applicant must arrange for an easement with the Village to allow parking on Village property. He also asked that Mr. Dedyo contact Mr. Mastromonaco and resolve the issues he raised in his memorandum of October 8, including the need for a survey, a topographical map and clarification of whether new bedrooms were created, thereby requiring approval of the County Department of Health.

The Board determined that, since the Application involved only a minor setback intrusion, the Board could act on the application prior to the ZBA's issuing a variance. However, the Board indicated that the parking issue must be resolved before it could take any action on the application.

This matter was continued.

IPB Matter #03-31:

**Application of Eric & Michelle Frank for Site
Development Plan Approval for property at
23 Washington Avenue.**

Mr. Frank appeared before the Board seeking approval for the construction of a new pool house, enlarged patio, retaining walls and additional fencing along the property. The Chairman noted a letter from the ZBA, dated September 24, that granted approval of a variance for coverage and setbacks (see ZBA #03-28, Sec. 224-13 - coverage and 224-11 - set backs). Plans entitled Frank Residence, 23 Washington Avenue, Michael Gallin, Architect, dated July 21, 2003, 3 sheets were submitted.

The Chairman confirmed with Mr. Marron that he had no issues, nor did Mr. Mastromonaco cite any concerns in his memorandum of October 8. There were no comments from the public.

The Board determined that the application could be handled as a Type II action under SEQRA. After discussion, on motion duly made seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 224-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for the Site Development Plan approval for this application.

IPB Matter #03-47:

**Application of Pauline & Kevin Davies for Site
Development Plan Approval for property at
8 Leafwood Terrace (Open Space
Inventory Consideration):**

Lothar Ehrich, President of Ivy Construction, appeared on behalf of the applicants, who are proposing to construct an in-ground swimming pool. A preliminary sketch had been provided, but the Chairman said a revised plan at a scale conforming to requirements noted in the Zoning Ordinance with additional detailed information must be incorporated into the

application with respect to landscaping, pool drainage, coverage, fencing, erosion control and other matters. The Board continued this matter pending receipt of a revised application

IPB Matter #03-35:

**Application of David & Nancy Rosner for Site
Development Plan Approval for property at
11 Meadow Way**

Tasos Kokoris, architect, appeared together with Mr. and Mrs. Rosner, who are proposing to construct a single-family residence and an accessory pool cabana and studio. Mr. Lilienfield recused himself from voting on this matter, as he is a neighbor of the Rosners, and Mr. Hoffman chaired consideration of this application.

The Rosners had received a variance from the ZBA for setbacks, a third bay in a garage and height in stories, as certified in a ZBA letter of September 24 (see ZBA #03-30 Sec. 224-11 - set backs, 224-14 - third bay in garage and 224-34 - height in stories). The Chairman noted Mr. Mastromonaco's concerns in his memorandum of October 8 and in particular cited the need for the applicants to review the calculation of the wetlands area. He emphasized, too, that various large trees are projected for removal under the plans; he asked that the number of removals be minimized and the applicants develop a landscaping plan that would compensate for any tree loss. He said that all of Mr. Mastromonaco's comments should be addressed and all necessary notes be added to the plans.

The Board determined that the application was otherwise sufficiently complete, and set a public hearing for the November Regular Meeting, contingent upon the applicants' meeting all requests for information and modifications of the plans. The applicants also were instructed to re-notice for the hearing.

IPB Matter #03-45:

**Application of Nicole Kuckly & David Perez for
Site Development Plan Approval for property at
176 Mountain Road**

Stephen Tilly, architect, and a colleague, John Walko, appeared for the applicants, who are proposing to construct an addition to an existing residence by converting an existing garage to living space and building additional living area. Also, a wood deck will be added to the residence. Drawings submitted were: Topographic Survey of Property by Roland Link, dated May 6, 1999, Survey of Property by Roland Link dated May 6, 1999, Architectural Plans by Stephen Tilly Architect dated September 22, 2003, 6 sheets, and Site Plan by Petrucci Engineering dated May 8, 2001.

Mr. Marron recused himself from taking part in the review of this Application. Mr. Walko reviewed the plans and cited a letter of March 13, 2003 and Resolution of October 9, 2002, both from the Town of Greenburgh, which indicated the extension of the sewer district to include the applicants' property and to permit connection to the Town's sewer line. He stated that the proposed sewer line, while not appearing to be logically sited, in fact represents "the path of least resistance", given the presence of rock and the blasting that would occur due to a shorter and more direct route. Mr. Walko also said that the garage presently on site would be razed.

The Chairman said no variance is required for the driveway since it is a pre-existing condition. He also cited Mr. Mastromonaco's memorandum of October 8, which proposes the installation of a particular model of pump station, or its equivalent, to handle the increased drainage that may result from this project. Mr. Marron indicated that the stronger pump may not be necessary, but that this should be addressed in the applicants' next submission to the Board.

Mr. Walko said no trees are to be removed. The Board determined the application to otherwise be complete, and set a public hearing for its November Regular Meeting.

IPB Matter #03-15:

**Application of Vincent DeSantis for Site
Development Plan Approval for property at
64 West Clinton Avenue**

Mr. DeSantis appeared before the Board in support of his proposal to construct an addition to a single-story family home and install a swimming pool.

The Board opened a public hearing on this matter. The Chairman said all of Mr. Mastromonaco's issues had been addressed; the only remaining requirement is that screening be provided on all four sides of the pool. There were no comments from the public, and the Board closed the public hearing.

There were no comments from the public. The Board closed the public hearing and, on motion duly made and seconded, took the following action. It approved plans entitled Proposed Addition to DeSantis Residence, prepared by Robert Hoene, Architect, dated January 7, 2003 last revised September 23, 2003 subject to the provision of additional screening around the pool.

IPB Matter #03-46:

**Application of Joseph DeNardo for Site
Development Plan Approval for property at
7 Roland Road**

Norman Sheer, Esq., Paul Petretti, engineer, and Mr. DeNardo appeared in support of the application, which pertains to approval to construct a new residence on property in the IF-40 Zone. The current plan calls for the demolition of the existing residence on the property, with subsequent construction of a new residence. Applicant submitted plan entitled Construction Plan, DeNardo Development Corp., revised August 27, 2003 by Paul Petretti, P.E., L.S.

The Chairman noted a ZBA letter of September 24, 2003 granting a variance to build on a non-conforming lot (see ZBA #03-21 - 224-7A and 224-89A(1)). He also stated that a condition of the variance called for the proposed improvements to be subject to the more restrictive IF-40 setbacks yet compliant with the lower coverage permitted in the IF-20 zone. The variance stated that the project was subject to Planning Board review of the application, including on an FAR basis.

Mr. Jenkins recused himself from any vote on this matter and any decision-making role on this proposal, as he is an adjacent property owner, but took part in the discussion as a member of the public. He questioned the safety of the proposed positioning of the house with its driveway off of Erie Street, given the proximity of the driveway for this property with those serving two other houses in this neighborhood. Tom Rothman, whose home abuts the north side of the property, objected to the Erie-facing position, arguing the safety issue and citing the applicant's proposed removal of five trees he wants to protect.

Mr. Sheer, responding to a suggestion from the Chairman, said the applicant will consider rotating the proposed house. The Chairman asked that the applicant return to the Board next month with drawings that depict a repositioning of the house and data on the permissible FAR. The Chairman also cited Mr. Mastromonaco's memorandum of October 8 and asked that the issues outlined there be addressed, including the need to show erosion-control measures on the plan.

Ms. Wilson of the Environmental Conservation Board voiced concern over the removal of trees.

The Board continued this matter.

IPB Matter #03-44:

**Application of Steven Ivkovic & Syliva Marusic for
Site Development Plan Approval for property at
21 South Eckar Street**

Ante Zubac, architect, represented the applicants, who are proposing to convert an existing six-family dwelling into a five-family structure, build a new addition, remove a wall to permit clearance for a driveway and allow parking for five cars at the rear of the house. Plans submitted were Proposed Design for Apartments Addition/Renovation dated September 20, 2003 by Ante Zubac, Architect, (10 sheets).

The Chairman pointed out that this proposal calls for renovating and converting a house in the Two-Family district to make it a five-family residence. As a result, a variance would be required prior to any action by the Planning Board. Mr. Marron indicated that a number of additional variances would be required under the proposed plan, including several regarding parking.

The Chairman noted an October 8 letter from John Canning, a neighbor, expressing opposition to this renovation and conversion. Ms. Wilson of the Environmental Conservation Board requested information on the trees, if any, which would be removed. Wendy Talarico, another neighbor, said the view of this property from her house is "appalling" because there has been poor maintenance of the house and yard. She also stated that a five-family residence would set a dangerous precedent, given the number of people who would live in the house and the increased amount of parking space.

The Board indicated that the Applicant would need to apply to the Zoning Board of Appeals for relief, and that the Planning Board would take no action on the Application until action by the Zoning Board of Appeals.

IPB Matter #94-03:

Application of Westwood Development Associates, Inc., (Tract A)

IPB Matter #02-44:

Application of Westwood Development Associates, Inc. for Site Development Plan Approval for property at Lot 4, Dearman Park (formerly Westwood Subdivision)

The Board agreed to discuss these two matters simultaneously, since Lot 4 is part of the Dearman Park (Westwood) subdivision and is the initial property being considered for Site Development Plan Approval. Mr. Padriac Steinschneider of Gotham Design appeared before the Board for the applications.

The Chairman emphasized the need for a single site plan for Lot 4, instead of the two different plans the applicant submitted. While Mr. Steinschneider indicated that one was for architectural purposes and the other for engineering, the inconsistencies reinforced the need for a single plan. The Chairman also said that the proposed circular driveway should be eliminated due to coverage and design elements, and that the proposed height may still be a problem.

He emphasized that one of the Board's primary objectives in evaluating the plans for Westwood has been to prevent "massing" and other unaesthetic, intrusive visual effects on the houses to be built there. He stressed, too, that by allowing this applicant and others to present designs that position the homes closer to the street than might ordinarily be acceptable, the Board was making a trade-off that already had been clearly communicated to Mr. Steinschneider: i.e., in exchange for approval of such positioning, he would design lower houses than might otherwise be proposed, in order to avoid massing and other unsightly effects. The Chairman underscored the point that Mr. Steinschneider needs to understand that this quid pro quo is very important because of the potential precedent that might be perceived by those applications to follow.

Mr. Steinschneider said he had tried to reduce massing by putting the proposed master bedroom on the first floor. He also said that a flat-roofed house would mitigate massing but would not be as desirable a design for the applicants. In addition, he stated that he wishes to do grading work between certain lots in Dearman Park and said that this would reduce the number of retaining walls required.

The Chairman said the grading must not affect what can be legally built on a lot. Mr. Sheer said the applicant will reduce the size of the walkways to avoid non-conforming coverage. The Chairman reiterated the need for the applicants to reduce the "massing" impact of the proposed plans and also requested the applicant address the issues outlined in the memorandum of October 8 from Mr. Mastromonaco.

The Board continued this matter.

IPB Matter #03-50:

**Application of O'Neill Rowan Ltd. for Site
Development Plan Approval for property at
Dearman Park (formerly Westwood Subdivision),
Lot #13**

The Board held no discussion of this matter.

IPB Matter #03-36

**Application of Racwel Contracting & Construction
Co., Inc. for Site Development Plan Approval for
Lot #15 at Dearman Close**

Padriac Steinschneider of Gotham Design appeared before the Board in support of the application. The Chairman asked that the applicant submit complete architectural plans for this project and that all remaining issues be addressed. Noting that houses on steeply sloped properties are likely to present difficult issues, the Chairman asked that the map scale be smaller to show planning details and data more clearly than the current scale.

Mr. Steinschneider said there may be a need for a variance to accommodate the height of the proposed structure, given both the slope and the Village Code requirement to measure from the existing grade. .

The Chairman asked the applicant to submit a complete set of plans and said the applicant should address all issues raised in Mr. Mastromonaco's memorandum of October 8th, including how to make the site plan more decipherable.

Mr. Steinschneider wanted to know whether the proposed structure would comply with FAR if it does not have an attic as defined under the Code but has "dead space." He also asked whether and how dead space is taken into account in FAR calculations. Mr. Marron noted that cathedral ceilings are permissible. The Chairman recognized there are questions regarding this issue, and that further consideration is needed.

The Board continued this matter.

IPB Matter #01-26:

**Application of Danfor Realty for Subdivision
Approval for Property Adjoining Harriman Road**

Mr. Paul Petretti, civil engineer and land surveyor, appeared on behalf of this continuing application for Preliminary Subdivision Layout and Limited Site Plan Approval of a seven-lot subdivision (two lots of which are already improved).

The Board continued its Public Hearing on the application. Having determined that there were no further matters to be reviewed and no public comments, the Board closed the Public Hearing.

The Chairman reviewed the proposed SEQRA Lead Agency Findings Statement, dated July 8, 2003, and upon motion duly made and seconded, the Board adopted the Statement, concluding to a Negative Declaration as there were no significant environmental

impacts projected as a result of the project. The Board also set a Special Meeting for October 15, 2003 at 7:30 to continue its consideration of a resolution of approval for the application.

The Chairman noted that Shady Lane will be part of Lot 7, which will bear responsibility for maintenance of the private road. The right of way will consist of both a portion of Lot 7 as well as an easement over the portion of the property to be conveyed to the Brennans. The Chairman asked that the issues cited in Mr. Mastromonaco's memorandum of October 8 be addressed.

IPB Matter #03-41:

**Application of Westwood Development Associates
& Village of Irvington for Subdivision Approval
for Property at Westwood Subdivision, Tract B**

Mr. Paul Petretti, civil engineer and land surveyor, appeared on behalf of this application. With respect to IPB Matter #03-41, the Chairman noted that no other agency had responded to the notification of the IPB's intention to be Lead Agency in the SEQRA review process.

The Board opened a public hearing, and the Chairman reviewed the purpose of this application and the status of Parcels B, C and D in the Westwood subdivision. He noted that an easement was being created over Tract C for the benefit of the to-be-created Parcel B-1.

There were no comments from the public, and the Board closed the public hearing. Upon motion duly made and seconded, the Board voted to designate itself Lead Agency. The Board subsequently reviewed a proposed SEQRA Resolution, which concluded that the proposed action would not result in any significant adverse environmental impacts. The Board voted, upon motion duly made and seconded, to adopt the Resolution and issued a Negative Declaration on the proposal. The Chairman indicated that a Resolution of Subdivision Approval would be circulated for consideration at the November meeting.

IPB Matter #03-49:

**Application of Village of Irvington for Subdivision
Approval for Property at Westwood Subdivision,
Tract C**

Mr. Paul Petretti, civil engineer and land surveyor, appeared on behalf of this application. He and the Chairman reviewed the proposed plan, and emphasized that the design of the four potential residential lots to be created reflected the prior designs considered as part of the Westwood approvals.

The Board, by consensus, stipulated that the Resolution of Approval for this application should include a provision that indicated that the front yard setback for Lot # 1 had purposefully been designed and that no variance to reduce the front yard setback should be granted.

The Board reviewed the Full EAF that had been submitted, and declared its intention to be Lead Agency for the SEQRA review. The Board also determined this matter could be treated as an Unlisted Action, and instructed the applicant to circulate the appropriate

notification to interested and involved agencies, including the Town of Greenburgh and Westchester County.

The Board continued this matter.

The Board than took the following action:

- It confirmed a Special Meeting for October 15th to review the Resolution of Approval for Matter #01-26 and other applications.
- The Board approved the minutes of its August and September Regular Meetings.
- The next Regular Meeting was set for November 5, 2003.

The meeting was adjourned at 11:02 p.m.

Respectfully submitted,

Walter Montgomery
Secretary